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NO, IT ISN'T: A RESPONSE TO LAW ON EVIL PLEASURE

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ABSTRACT

In this paper, I engage with Law's (2008) paper 'Evil Pleasure Is Good For You!' I argue that, although his criticism of hedonistic utilitarianism may hold some weight, his analysis of the goodness of pleasure is overly simplistic. I highlight some troubling results which would follow from his analysis and then outline a new account which then remedies these problems. Ultimately, I distinguish between Law's 'evil pleasures' and, what I call, 'virtuous pleasures' and show how we can accept the goodness of virtuous pleasures without being obliged to say that evil pleasures are also good for us.

Keywords: Ethics, Pleasure, Aristotelianism, Hedonism, Utilitarianism

1. The Problem

The importance of pleasure cannot be denied. A life without pleasure would strike most of us, if not all of us, as horrendous. Indeed, according to the American Psychiatric Association, one of the markers for depression is no longer enjoying activities which previously brought the subject pleasure (American Psychiatric Association, 2013, DSM-5). Considerations such as these indicate that pleasure is important. However, the nature of this importance is open to debate. Many thinkers have held that pleasure is obviously an intrinsic or basic good. Some (whom I shall call hedonists) have then held that it is the sole good,² whilst others (whom I shall call pluralists) have held that it is one good amongst many.³ From now on, for the sake of brevity and simplicity, I will simply talk about hedonists. At the same time, most, if not all, of what follows will apply equally well to pluralists who hold that pleasure is one good amongst many.

In this paper, I am going to explore whether or not pleasure should be seen as an intrinsic good. I will argue that pleasure simpliciter should not be seen as an intrinsic good, but, at the same time, I will sketch an account which suitably explains and understands the important, indeed crucial, role that pleasure plays in a good life.

The problem, as I see it, is something along these lines; a life without pleasure seems obviously bad. This suggests that pleasure is good. However, if we jump to the

conclusion that pleasure is therefore intrinsically good we have to accept some troubling conclusions. After all, if pleasure is intrinsically good, then perhaps we are obliged to say that the pleasure a rapist derived from rape, or a sadist from torture, is intrinsically good. This seems counter-intuitive to a great many of us. The horror we feel when confronted with a true sadist or unrepentant rapist is not just due to their acts (for example, torture or rape), but also due to the fact that they ENJOYED the act. Further, if we grant that certain 'distasteful' acts are sometimes obligatory, perhaps killing a severely injured animal in order to put it out of its misery, then many of us will feel that no pleasure should be derived from the killing. Yes, we ought to put the animal out of its misery, but we ought not enjoy it. Somehow, to enjoy the act of killing, in scenarios such as this, seems to be a wrong in and of itself. It is unclear how we can say this if we agree that pleasure (simpliciter) is intrinsically good.

At the same time, there are certain situations when the opposite is the case. Sometimes we feel that pleasure ought to be taken in performing an act. For example, suppose we say that it is good to give to charity. Many of us may then say that, whilst giving to charity is good in and of itself, it is better to give cheerfully. After all, God loves a cheerful giver! Thus, the problem seems exacerbated because, in a scenario such as this, the pleasure the cheerful giver derives from giving seems to be a good above and beyond the mere giving itself.

Thus, the problem looks to be as follows; pleasure seems to be a crucial ingredient of a good life. Therefore, many will want to see it as an intrinsic good. However, if pleasure is an intrinsic good then counter-intuitive results follow (such as those involving the sadist). Therefore, to avoid this conclusion, many may be inclined to conclude that pleasure is not an intrinsic good. However, this seems overly strong. Pleasure does seem to be a crucial constituent of a good life and there certainly seem to be some circumstances where pleasure adds goodness (of some sort at least) to an action (such as in the case of the cheerful giver). Thus, we are on the horns of a dilemma. If we say that pleasure is intrinsically good then counter-intuitive results follow. However, if we deny that pleasure is intrinsically good then this seems overly strong and other counter-intuitive results follow.

The natural way to try to avoid this dilemma is to forge some relevant distinction between virtuous pleasures,⁴ as I shall call them (for reasons that will become clear in a moment), i.e. pleasures derived from moral acts, and evil pleasures, as they have been

called, i.e. pleasures derived from immoral acts. The most obvious distinction that can be drawn between them is that virtuous pleasures take place in the context of right action whereas evil pleasures take place in the context of wrong action. However, to end the argument here is insufficient. After all one could still retort that 'pleasure is pleasure.' Qualitatively speaking, there is no difference between evil pleasure and virtuous pleasure.⁵ Thus, no relevant distinction can be drawn here. Further, whilst it is true that some pleasures can be pursued morally whilst others cannot, none of this, necessarily, tells us anything about the goodness of the pleasure itself. We need to be told why some pleasures are good and some are bad. Simply telling us that some can be pursued and that others cannot does not answer this question. It may well be the case that we ought not pursue certain pleasures even though the pleasure itself is good. As a result, the question now becomes 'can a relevant distinction between virtuous pleasures and evil pleasures be forged?'

2. Evil Pleasure

Iain Law in his 2008 paper 'Evil Pleasure is Good for You!' argues that evil pleasure, whilst not necessarily being morally permissible or morally desirable, is as good for the subject as virtuous pleasure, i.e. there is no relevant distinction between virtuous pleasures and evil pleasures. Put another way, they are of equal value. If this is the case then the dilemma I outlined earlier rears its head. If we say they are both valuable we have to say that the rapist's pleasure is good. If we say neither is valuable then we have to deny any contribution, on the part of pleasure, to the goodness of a life. Both options seem unacceptable.

Law begins his argument by stating that "The way to test whether something makes a contribution to wellbeing is to think of two people whose lives are alike in every respect other than whether they have this enjoyment. If the person who experiences the enjoyment is thereby benefited, then the enjoyment contributes to wellbeing" (Law, 2008, p. 4). Law then creates a thought experiment to test this. He asks us to imagine that three people are in the vicinity of a public torture session. The first person is a good person who is repulsed and upset by the sight. The second person is a sadist who enjoys watching the victim scream in pain. The third person is also a sadist who would have enjoyed a similar amount of pleasure to the other sadist had he witnessed the torturing, but he was unaware

that the torture was taking place and passed by without witnessing it. Law is happy to grant that the first person is the best off of the three and that this person will overall enjoy the most welfare. However, what about the second and third person? Which of them is the better off?

Law suggests that the reason we may want to say that the first person is better off than the second person is because his more virtuous disposition will result in more long-term welfare.⁶ As a result, even though he derives no pleasure from witnessing the torture, unlike the second person, in the long run he will have access to more and greater pleasures than the second person. However, it seems that the second and third person are both in an equally bad position in this regard. Neither of them will have access to these additional virtuous pleasures due to their sadistic nature. The only difference between them seems to be that the second person has had an additional bit of pleasure.

A natural response that some might make would be to argue that the third person is better off because the pleasure the second person derives from watching the torture victim only worsens and exacerbates his sadistic nature. This drives him further from virtue and thus further from the greater long-term welfare of the virtuous first person. The third person is then in a better position than the second person because he has not had his sadistic impulses stimulated and encouraged.

Law responds by asking us to imagine that both sadists are already “long-confirmed in their vice, such that one occasion to enjoy another’s suffering makes little or no difference to their degree of depravity. In such a case, it is extremely implausible to say that the sadist who sees the torture is harmed thereby, in that it hardens his sadism. Each man is as hardened already as it is practically possible to be” (Law, 2008, p. 6).

Law then pre-empts a potential response open to the utilitarian. He suggests that some may doubt whether the figure of the hardened sadist is plausible. These people may insist that even the most hardened sadist can be reformed given the right circumstances or they might insist that even the most hardened sadist must feel some measure of guilt at his crimes. Thus, a potential response open to the utilitarian would be to insist that the pleasure the second person took in watching the torture will always be outweighed by the pain that results. The second person may gain pleasure from watching the torture victim, but he is sure to be wracked with guilt later on and taken even further from a virtuous happy life thus it would be better for him never to have seen the torture. As a result, the utilitarian may still be able to insist the third person is better off than the second.

Law responds to this in three ways. His first response is that it rests on a worryingly empirical claim. Perhaps it is true, but can the utilitarian be sure of this? His second response is that even if it is true it still seems uncomfortably contingent. As Law points out “There is no obvious reason to think that it must be true for all possible agents” (Law, 2008, p. 7). Perhaps it is the case that all sadists currently on Earth are like this, but what about future sadists, or sadists of a different species, or sadists in other possible worlds?

Law then says that “It would be uncomfortable to think that causing pain to others for the enjoyment of oneself and other sadistic witnesses is wrong only because it so happens that sadists hate themselves afterwards. Most of us would tend to think that such acts are wrong quite irrespective of what happens to be true about whether the perpetrators are later filled with bitter self-recrimination” (Law, 2008, p. 7). Now, I think that Law has phrased this passage clumsily. Technically, the utilitarian, regardless of whether hardened sadists will feel guilty, will always think that sadistic acts are wrong because the pain caused to the victim will always outweigh the pleasure of the sadists. As a result, no utilitarian, regardless of whether or not they agree with Law’s claim that the hardened sadist is a possible or plausible character, will think or is obliged to think “that causing pain to others for the enjoyment of oneself and other sadistic witnesses is wrong only because it so happens that sadists hate themselves afterwards” (Law, 2008, p. 7). This is because they will think that torturing others is wrong because of the pain caused to the victim.

Instead I think that what Law is trying to say is that it would be uncomfortable to think that the pleasure gained from causing pain to others for the enjoyment of oneself and other sadistic witnesses is not good for (i.e. does not contribute to the welfare of) oneself and other sadistic witnesses only because it so happens that sadists hate themselves afterwards. This is because most of us tend to think that the pleasure gained from such acts is bad quite irrespective of what happens to be true about whether or not the perpetrators are later filled with bitter self-recrimination. Granted this way of phrasing Law’s response is a bit wordier, but it stops the utilitarian from having an easy counter-response and thus strengthens Law’s argument.

The final response that Law makes is that even if sadists will always be worse off after taking pleasure in a sadistic act (whether this is due to them feeling guilty afterwards or because their sadistic tendencies will be exacerbated taking them still further from true

virtuous happiness) this does nothing to show that the pleasure gained is not, in and of itself, good for the sadist. The utilitarian's response has been that the second person in Law's thought experiment is worse off because, all things considered, the consequences of him seeing and taking pleasure in the act of torture will be negative and will outweigh the momentary pleasure that he took at the time. However, this does nothing to show that the pleasure gained from the sadistic act is not good in and of itself even if it is always outweighed by the resulting pain. Thus, "There is no reason why we should not see the pleasure gained as being beneficial in itself" (Law, 2008, p. 7). The fact that the sadist's pleasure counts as a good thing seems to be an uncomfortable result, and this holds quite regardless of whether or not overall and all things considered it is good or bad for sadists to take pleasure in torturing people.

As a result, there seems to be no distinction between evil pleasure and virtuous pleasure and so we must conclude that, if virtuous pleasure is good for us, then evil pleasure must also be good for us. Law concludes that because the utilitarian can forge no relevant distinction between evil pleasure and virtuous pleasure he must conclude that "the wrongness of a sadistic act inheres in the balance of harm over benefit to all subjects. That there is such a balance is established by placing the well-being produced and lost by the act onto the utilitarian scales. Onto the negative side go the pain suffered by the victim, and the subsequent pain suffered by the sadist. Onto the positive side goes the sadist's pleasure. This remains true even if we accept that all sadists in the end do themselves more harm than good. This is the truly objectionable feature" (Law, 2008, p. 7).

Thus, it becomes clear that the aim of Law's paper is to highlight an objectionable feature of utilitarianism. The problem for the utilitarian, so Law is claiming, is that because they think that pleasure is the sole constituent of welfare they must therefore accept that the pleasure the sadist takes from torture is good, even if the goodness of that pleasure is always outweighed by other factors, and this is a troubling conclusion.

What we should do with this conclusion is left up to the reader. There are two obvious responses that the reader can make. The first response the reader could make is to accept that, as troubling as it may be, evil pleasure is good for us. They could argue that virtuous pleasure is obviously good for us, that evil pleasure is no qualitatively different to virtuous pleasure, and therefore evil pleasure is also good for us. However, this response runs in to the difficulties outlined earlier involving the sadistic torturer and the unrepentant rapist.

The second response the reader could make would be to claim that neither virtuous pleasure nor evil pleasure contribute to our welfare. They could argue that it is obvious that evil pleasure cannot contribute to welfare, that virtuous pleasure is no qualitatively different to evil pleasure, and therefore it follows that virtuous pleasure also cannot contribute to welfare. However, this still seems overly strong. Surely pleasure must be playing some role in a good life. We would be rightly concerned if an individual experienced no pleasure in anything even when engaging in virtuous activities. As a result, it must be good in at least some sense for people to take pleasure in virtuous activity. However, we need to find a way to say this without having to say that evil pleasures also contribute to a good life otherwise we risk making the first response. Therefore, it is very important that I find a relevant distinction between virtuous pleasure and evil pleasure that allows me to do this. How am I to do this?

3. Forging A Distinction

I believe we can forge a relevant normative distinction between virtuous and evil pleasures if we simply accept the claim that considering the goodness of pleasure in isolation from that which produces it is a mistake. As Gomez-Lobo points out, “Judging pleasure and pain in abstraction from whatever generates these subjective states is inadequate” and that “If the sources [of pleasure] are taken into consideration, we are led to the conclusion that participation in basic human goods [intrinsic goods], when grasped as worthwhile and performed in an adequate manner and a suitable context, will be accompanied for the most part by admirable pleasures and deep feelings of satisfaction” (Gomez-Lobo, 2002, p. 33). Further, not only will pleasure generally accompany participation in an intrinsic good, but pleasure OUGHT to be experienced in accordance with that which is good. It follows from this that when someone experiences virtuous pleasure our capacity to feel pleasure is functioning as it should. However, when someone experiences evil pleasure our capacity to feel pleasure is not functioning as it should. It is attaching itself to the wrong sort of activity. It follows from this that virtuous pleasure is good in that everything is functioning as it should and that that evil pleasure is bad because our capacity to feel pleasure is attaching itself to the wrong sort of thing. It is malfunctioning.

One consequence of this is that, although pleasure simpliciter does not count as an intrinsic good, it will constitute an essential ingredient of a good life. A good life should be filled with good things and pleasure and enjoyment should be taken in these things. If we are not experiencing pleasure then either our life is not filled with good things (which is bad) or our capacity for pleasure is not functioning properly (which is a serious problem indeed). Thus, pleasure will play a crucial role in a good life.

To return to some of the earlier examples, this account explains why in the case of the unrepentant rapist the pleasure the rapist feels is a bad above and beyond the act itself. The rapist ought not to have committed the rape because it is wrong (and any number of ethical theories could explain why this is the case), but when he then takes pleasure in the act his faculty for pleasure is working incorrectly and is attaching itself to the wrong sort of thing. This, then, is a bad above and beyond the act of rape itself. Further, to return to the example of the cheerful giver, not only is the act of giving right and good (and again, any number of ethical theories could explain why this is the case), but the pleasure he feels is a good above and beyond the act of giving because his faculty for pleasure is functioning as it should. This means that virtuous pleasure should be considered a good even though pleasure simpliciter would not.

As a result, I can agree with the hedonist that the pleasure someone takes from reading a good book or talking to a friend is a good thing and yet I can also share in, and explain why, Law has the feeling that pleasure derived from sadistic acts is inherently bad and this seems to be a positive result. It also follows from this that, although virtuous pleasure will be an important part of the good life, pleasure simpliciter need not be considered an intrinsic good.

4. Is Virtuous Pleasure An Intrinsic Good?

I have argued that virtuous pleasure is something we should experience and that evil pleasure is something we ought not experience. Thus, in some sense, virtuous pleasure must be a good. However, there is a further question to be answered. This is whether or not virtuous pleasure should be considered an INTRINSIC good. In some sense, it will be because virtuous pleasure adds goodness to a scenario above and beyond the goodness of the act, or the results of the act, itself. If it was merely instrumentally good then it

wouldn't do this since instrumental goods are only good in as much as they bring about an intrinsic good.

At the same time, unlike more traditional intrinsic goods, virtuous pleasure can't be pursued or enjoyed by itself. It can only be experienced whilst pursuing another intrinsic good. In this sense, it does not appear to be a typical intrinsic good because it differs from the others. As a result, in some ways it appears to be intrinsically good, but in others it does not. Is this a problem?

I am not convinced that it is. There doesn't appear to be any internal logical contradiction with this account of virtuous pleasure. Further, this account, unlike one which fails to distinguish between virtuous and evil pleasures, allow us to explain our intuitions in the scenarios discussed earlier, namely that pleasure seems to be an intrinsic good under some circumstances but not others.

5. Some Experiments

I think further intuitive support can be found for this view of pleasure when we consider the results of certain experiments in neuroscience. David Linden in his book *The Compass of Pleasure* recounts some interesting experiments done during the mid-twentieth century on rats. In these experiments electrodes were inserted into the brains of rats. These rats were then able to directly stimulate the pleasure centres of their brains by pressing a lever. Linden reports that the "Rats would press the lever as many as seven thousand times per hour to stimulate their brains ... this was a pleasure center, a reward circuit, the activation of which was much more powerful than any natural stimulus. A series of subsequent experiments revealed that rats preferred pleasure circuit stimulation to food (even when they were hungry) and water (even when they were thirsty). Self-stimulating male rats would ignore a female in heat and would repeatedly cross foot-shock-delivering floor grids to reach the lever. Female rats would abandon their newborn nursing pups to continually press the lever. Some rats would self-stimulate as often as two thousand times per hour for twenty-four hours, to the exclusion of all other activities. They had to be unhooked from the apparatus to prevent death by self-starvation. Pressing that lever became their entire world" (Linden, 2011, p. 9).

These experiments were then recreated in humans to some extent. The results were fairly similar with the 'patients' finding the experience immensely pleasurable. They

would self-stimulate repeatedly at the expense of other activities and when they were disconnected they would protest. It is alarming to imagine what would have happened to them if they were not disconnected.⁷

Perhaps it would be a mistake to read into these experiments too much given they involve highly artificial and unusual circumstances. Nevertheless, if we take these experiments at face value then it seems intuitively obvious to me that to live for any prolonged period of time in this manner would be bad for us. It also seems that the hedonist has a tough time explaining why we might have these intuitions. If pleasure really is the sole constituent of the good life then this life would be an excellent life because it would ensure we experience huge amounts of pleasure. However, our intuitions tell us that this would not be a good life. This shows that our intuitions clash with hedonism and that pleasure simpliciter is not intrinsically good.

It can also be argued that these experiments pose some difficulty, although to a lesser extent, for thinkers who think that pleasure (simpliciter) is a partial constituent of the good life i.e. the pluralists. This is because pluralists who include pleasure as one good amongst many could not deny that humans under these circumstances would live lives completely devoid of goodness. At most all they could say is that they would live unbalanced lives experiencing one good (pleasure) to the exclusion of all others, but it is unclear whether this necessarily means that it is a bad life for them to live. Perhaps an unbalanced life is a bad life, but this remains to be shown and the pluralist who includes pleasure as an intrinsic good will need to show this in order to avoid this intuitive objection.

However, if we accept the view of pleasure that I have outlined then we can easily explain what was going on here and why we have the intuitions that we do. In humans, pleasure should be experienced in accordance with that which is intrinsically good. However, in these circumstances our capacity for pleasure would not be functioning as it should. Our capacity for pleasure should be experienced when we partake in intrinsic goods. However, in circumstances like these this would not be the case. Rather than guiding us towards that which is good it would instead, if anything, guide us away from that which is good because it would distract and occupy us preventing us from pursuing intrinsically good things.

6. Conclusion

To conclude this paper, ultimately, I have no quarrel with the main goal of Law's paper; to highlight an objectionable feature of hedonistic utilitarianism. Indeed, I'm inclined to agree with Law here. However, Law, I believe, did not take his analysis far enough. I believe that when we explore the scenarios he paints with the thought that pleasure ought to be experienced in accordance with that which is good forefront in our minds, then the solution to the problem of pleasure becomes clear. Pleasure simpliciter should not be considered an intrinsic good. However, virtuous pleasure, i.e. pleasure in accordance with that which is intrinsically good, is intrinsically good. This distinguishes it from evil pleasure. Thus, we can conclude that evil pleasure is not good for us.

Notes

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² See Mill (1906) for an example.

³ See Chappell (1998) chapter two for an example.

⁴ I considered labelling these sorts of pleasures 'moral pleasures' but this may be confusing as we will be discussing the morality of these pleasures. As a result, I chose to label them 'virtuous pleasures' to hopefully keep things clearer.

⁵ This, I think, is open to debate, but let's grant it for the sake of argument.

⁶ Law does raise some doubts as to whether this is necessarily proven but is prepared to grant it for the sake of argument.

⁷ See Linden (2011) pages 11-15 for more details.

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